UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

MAJOR CALHOUN,)	
)	
Plaintiff,)	
)	
V.)	No. 4:07CV1284 CDP
)	
MISSOURI DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to file a second amended complaint. The motion will be granted.

Upon review under 28 U.S.C. § 1915(e), the Court finds that the second amended complaint survives initial review as to defendants Roper, Dunn, Hawkins, Harper, Hatcher, Webber, Allen, Wallace, and John Doe.

The Court has already ordered the Clerk to serve process on the first amended complaint as to all defendants except Dunn, Hawkins, and Doe. As a result, the Court will order the Clerk to serve process on defendants Dunn and Hawkins. Additionally, the Court will order each of the defendants to respond to the second amended complaint pursuant to 42 U.S.C. § 1997e(g)(2).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to file a second amended complaint [#40] is GRANTED.

IT IS FURTHER ORDERED that the Clerk shall issue process or cause process to be issued as to defendants Dunn and Hawkins.

IT IS FURTHER ORDERED that, pursuant to 42 U.S.C. § 1997e(g)(2), defendants shall reply to plaintiff's second amended complaint within the time provided by the applicable provisions of Rule 12(a) of the Federal Rules of Civil Procedure.

Dated this 19th day of March, 2008.

CATHERINE D. PERRY

UNITED STATES DISTRICT JUDGE